

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

STEVEN D. TAYLOR, #2215976,

Petitioner,

v.

DIRECTOR, TDCJ-CID,

Respondent.

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Case No. 6:21-cv-167-JDK-KNM

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Petitioner Steven D. Taylor, a Texas Department of Criminal Justice inmate proceeding pro se, filed this federal petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition was referred to United States Magistrate Judge K. Nicole Mitchell for findings of fact, conclusions of law, and recommendations for disposition.

On September 1, 2021, Judge Mitchell issued a Report and Recommendation recommending that the Court dismiss the petition with prejudice as barred by the applicable statute of limitations and deny a certificate of appealability. Docket No. 21. Petitioner received the Report on September 9, 2021. Docket No. 23. Petitioner submitted his objections, dated October 13, 2021, after the fourteen-day window. Docket No. 26.


Where a party objects within fourteen days of service of the Report and Recommendation, the Court reviews the objected-to findings and conclusions of the Magistrate Judge de novo. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the

Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Petitioner's objection in this case was not timely. Further, even considering Petitioner's late-filed objection, *see Lored v. Barnhart*, 210 F. App'x 417, 418 n.1 (5th Cir. 2006) (quoting *Rodriguez v. Bowen*, 857 F.2d 275, 276–77 (5th Cir. 1988)), the Court finds that it is meritless. It consists of two sentences asserting Petitioner's status as a layman prisoner and the fact that he is "trying to correct a wrong." Docket No. 26. It does not dispute or even address the untimeliness of the petition that is the basis of the Magistrate Judge's recommendation.

Having conducted a *de novo* review of the Report and the record in this case, the Court has determined that the Report of the United States Magistrate Judge is correct, and Petitioner's objections are without merit. The Court therefore **OVERRULES** Petitioner's objections (Docket No. 26) and **ADOPTS** the Report and Recommendation of the Magistrate Judge (Docket No. 21) as the opinion of the District Court. Petitioner's petition for habeas corpus is hereby **DISMISSED** with prejudice as untimely. Further, the Court **DENIES** a certificate of appealability.

So **ORDERED** and **SIGNED** this **2nd** day of **November, 2021**.

  
 JEREMY D. KERNODLE  
 UNITED STATES DISTRICT JUDGE